

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN DONALD CLARK, CV F 02 5167 REC WMW P

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Plaintiff,

**ORDER RE: FINDINGS &
RECOMMENDATIONS (#24)**

V.

CINDY ANN ROE, et al.,

Defendants.

Plaintiff is a former state prisoner proceeding pro se in this civil rights action.

The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. §

636(b)(1)(B) and Local Rule 72-302.

On May 16, 2005, findings and recommendations were entered, recommending dismissal of this action for failure to state a claim upon which relief can be granted. Plaintiff was provided an opportunity to file objections within twenty days. Plaintiff has not filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 73-305, this court has conducted a de novo review of this case. Having carefully reviewed the entire file, the court finds the findings and recommendations to be supported by the record and proper analysis.

Accordingly, THE COURT HEREBY ORDERS that:

1. The Findings and Recommendations issued by the Magistrate Judge on May

1 16, 2005, are adopted in full; and

2 2. This action is dismissed for failure to state a claim upon which relief can be
3 granted. The Clerk is directed to close this case.

4 IT IS SO ORDERED.

5 **Dated:** June 13, 2005
668554

/s/ Robert E. Coyle
UNITED STATES DISTRICT JUDGE